
OLR Bill Analysis

sHB 6680

AN ACT CONCERNING ACCESS TO JOINTLY OWNED ASSETS THAT ARE LOCATED IN A SAFE DEPOSIT BOX.

SUMMARY:

This bill allows, under specified conditions, the probate court to order the opening of a safe deposit box solely owned by a deceased person whose estate is not subject to probate. The bill applies when the deceased person's next of kin or spouse, or any other sufficiently interested person, applies to the court in the probate district in which the deceased owner resided claiming to jointly own stocks, bonds, annuities, or certificates of deposit believed to be in the safe deposit box. The court can enter this order without giving notice to or hearing from a representative for the deceased. When the box is opened a bank officer must (1) be present and (2) return the court's order stating whether jointly held stocks, bonds, annuities, or certificates of deposit were in the box and, if so, that the respective assets were removed, and, if not, that nothing was removed.

EFFECTIVE DATE: October 1, 2013

BACKGROUND

Opening a Safe Deposit Box to Search for a Will

Current law allows the probate court to order that a safe deposit box solely owned by a deceased person be opened when the deceased person's next of kin, spouse, or any other sufficiently interested person applies to the court claiming that the deceased person had a will or cemetery deed and that it is in the box. The court can enter this order without giving notice to or hearing from a representative for the deceased. When the box is opened a bank officer must (1) be present and (2) return the court's order stating whether the will or deed was in the box and, if so, that only it was removed, and, if not, that nothing was removed (C.G.S. §45a-284).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/16/2013)